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Atty. Dkt. No. 065691-0262

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bertrand DUBREUCQ et al.
Title: Promoter Which Allows
Transgene Expression in the
Entire Plant Except the Seed
Appl. No.: 10/009,340
Filing Date: 12/10/2001
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

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The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO-1449 was cited as being relevant during the prosecution of the corresponding International application. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: March 13, 2002

FOLEY & LARDNER
Customer Number: 22428

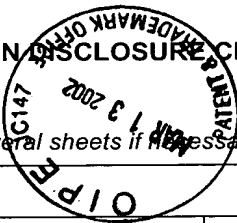


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Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 065691-0262		SERIAL NO. 10/009,340	
INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)				APPLICANT Bertrand DUBREUCQ et al.			
				FILING DATE 12/10/2001		GROUP ART UNIT Unassigned	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	A1	98 44138A	10/08/1998	WIPO			
	A2	97 30582A	08/28/1997	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	A3	GUIVARC'H ANNE MAURO CARNEIRO et al., "Tissue-specific expression of the rolA gene mediates morphological changes in transgenic tobacco," <i>Plant Molecular Biology</i> 39(1):125-134 (1996) (XP002132241).					
	A4	LIN X. et al., "AC 003096," EMBL Database (1997), (XP002148976), Heidelberg.					
	A5	MITCHELL A. G. et al., "Fahlp, a <i>Saccharomyces cerevisiae</i> cytochrome b5 fusion protein, and its <i>Arabidopsis thaliana</i> homolog that lacks the cytochrome b5 domain both function in the alpha-hydroxylation of sphingolipid-associated very long chain fatty acids," <i>Journal of Biological Chemistry</i> (1997) 272(45):28281-8 (XP002132243).					
EXAMINER				DATE CONSIDERED			
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.							